

Application No.: 09/849160

Docket No.: CXT-032

**REMARKS****Administrative Overview**

Claims 1-33 were presented for examination. The Examiner rejected claims 1-7, 11-18, 23, 25-30, and 32 under 35 U.S.C. §103(a) as obvious over U.S. 6,542,908 B1 to Ims (hereafter Ims) in view of U.S. 5,915,113 to McDonald et al (hereafter McDonald). The Examiner also rejected claims 8-10, 19-22, 24 and 31 under 35 U.S.C. §103(a) as obvious over Ims in view of McDonald further in view of U.S. 6,346,953 B1 to Erlikh et al (hereafter Erlikh). Claim 33 is rejected by the Examiner under 35 U.S.C. §103(a) as obvious over McDonald in view of Ims. Applicant hereby amends claims 1, 14, 19, 23, and 33. No new matter has been added. Upon entry of the present amendment, claims 1-33 are presented for examination.

**Summary of Claimed Invention**

The claimed invention discloses a system and method for partitioning software components of an application program on a server system, and generating a plurality of new software components corresponding to the partitioned software components for local execution at a client system in conjunction with remote execution of the application program at the server system. A protocol to be used by the generated new software components for communicating with each other during an execution of the application program is generated.

**Summary of Ims**

Ims describes a client workstation executing an application program. During execution, upon encountering a reference to an archive file (such as a JAVA bean) on a server, the client workstation sends a request for the archive file to the server. The request identifies a dynamic archive builder accessible from the server. The server dynamically builds the requested archive file that contains a proxy for a remote component. The proxy is used by the archive file for the client workstation to communicate with the server. The server sends the archive file to the client workstation.

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Summary of McDonald

McDonald discusses a software partitioning tool that enables a user to interact with a visual display representing an internal representation of an application. The visual display shows program objects and connections or interactions between the objects. The partitioning tool allows a user to move and group program objects into several partitions. Appropriate middleware protocols are generated to support calls between the partitions.

Summary of Erlikh

Erlikh discusses a method for recreating a user interface of an existing application. Specifically, Erlikh discusses how the invention enables transferring a user interface that is text-base to an event-based graphical user interface.

Rejection of claims 1-7, 11-18, 23, 25-30 and 32 under 35 U.S.C. 103 (a)

Claims 1-7, 11-18, 23, 25-30 and 32 are rejected under 35 U.S.C. 103 (a) as being obvious over Ims in view of McDonald. Claims 1, 14, and 23 are independent.

In order to make a prima facie case of obviousness, three basic criteria must be met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Ims in view of McDonald fails to meet this test.

Independent claims 1, 14, and 23 are amended to clarify that the claimed invention partitions a software component comprising a first and a second executable function to a first new software component including the first executable function and a second new software component including the second executable function. Ims does not teach or suggest this element.

Ims discloses a server generating an archive file including a proxy for a client workstation, so that the client workstation can use the proxy to communicate with the server. As illustrated by Fig. 6 in Ims, the proxy serves as an agent that takes the request from the client

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workstation and passes parameters to the server to ask the server to perform certain operations. The server then returns results to the proxy and the proxy informs the client workstation of the results. The original bean 465 contains three functions, setName(String name), doLookup( ), and getPhoneNumber( ), but these functions are not partitioned and placed into more than one new software component, at least one of which is put on the client workstation for execution. In other words, none of these three functions are being executed on the client workstation.

Not does Ims suggest partitioning a software component. One object of Ims invention is to insure that the code of the application which invokes the components does not need to change (col. 3 lines 54-57). However, if functions provided by a software component are to be split into several new software components, and at least one of the new software components is sent to the client for execution, the code of the application that invokes the components will be changed because now the functions in the original component are in several components and if no code is changed, the functionalities of the original component cannot be performed. Therefore, it is against Ims's objective of the invention to suggest the partitioning of functionality of a software component.

Accordingly, Applicant respectfully submits that Ims neither teaches nor suggests the invention explicitly recited by independent claims 1, 14, and 23.

McDonald discusses that in a visual display representing an internal representation of an application, a software partitioning tool allows a user to move program objects around and group them into several partitions. However, McDonald does not teach partitioning a single software component comprising a first and a second executable function into a first new software component including a first executable function and a second new software component including a second executable function.

Although McDonald discusses grouping the program objects into several partitions, there is no suggestion that one program object can be visually partitioned into several new components and the new components of a single object moved into different partitions. Further, there is no visual display of the functions within one program object for users to choose and partition visually as well.

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Accordingly, Applicant respectfully submits that McDonald neither teaches nor suggest the invention explicitly recited by independent claims 1, 14, and 23.

Since neither Ims nor McDonald teach or suggest partitioning a software component comprising a first and a second executable function to a first new software component including the first executable function and a second new software component including the second executable function, the combination also fails to teach or suggest that element. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of independent claims 1, 14, 23, and dependent claims 2-7, 11-13, 15-18, 25-30 and 32.

Rejection of claims 8-10, 19-22, 24, and 31 under 35 U.S.C. 103 (a)

Claims 8-10, 19-22, 24, and 31 are rejected under 35 U.S.C. 103 (a) as being obvious over Ims in view of McDonald further in view of Erlikh. Claim 19 is independent.

Claims 8-10 depend from independent claim 1. The arguments made above with respect to why claim 1 is neither taught nor suggested by Ims in combination with McDonald apply with equal force here and are reiterated as of set forth in full.

Furthermore, Erlikh does nothing to cure the deficiencies of Ims and McDonald. Erlikh discusses how to transform a user interface into a graphical user interface, and fails to teach the element of partitioning a software component comprising a first and a second executable functions into a first new software component including the first executable function and a second new software component including the second executable function. Accordingly, Applicant respectfully requests the allowance of claims 8-10.

Similarly, claims 24 and 31 depend from independent claim 23. The arguments made above with respect to why claim 23 is neither taught nor suggested by Ims in combination with McDonald apply with equal force here and are reiterated as of set forth in full. Erlikh does not supply the missing elements from Ims and McDonald. Accordingly, Applicant respectfully requests the allowance of claims 24 and 31.

Independent claims 19 is amended to clarify that the claimed invention. Ims does not teach or suggest this element.

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The arguments made above with respect to why Ims in combination with McDonald fail to teach or suggest partitioning a user-interface software component comprising a first and a second executable function to a first new software component including the first executable function and a second new software component including the second executable function, apply with equal force here and are reiterated as set forth in full.

Moreover, Erlikh does not teach or suggest the missing elements from Ims and McDonald. Erlikh discusses a method for transforming a text-based user interface to a graphical user-interface. Erlikh fails to teach the element of partitioning a user-interface component comprising a first and a second executable functions into a first new software component including the first executable function and a second new software component including the second executable function. Erlikh does not suggest how to separate software components of an application program so that it can be run in a server-client system. Therefore, there is no motivation for Erlikh to combine their invention with a server-client system like Ims.

Since neither Ims, McDonald, nor Erlikh teaches or suggests the partitioning of a user-interface software component comprising a first and a second executable functions to a first new software component including the first executable function and a second new software component including the second executable function, the combination similarly fails to teach or suggest this element. Accordingly, Applicant respectfully requests that Examiner to reconsider and withdraw the rejection of independent claim 19 and dependent claims 20-22.

Rejection of claim 33 under 35 U.S.C. 103 (a)

Claim 33 is rejected by the Examiner under 35 U.S.C. 103 (a) as obvious over McDonald in view of Ims. Claim 33 is independent.

Claim 33, like claim 1, is amended to clarify the claimed invention of a software component splitter generating a first and second new software component from a software component, wherein said software component comprises a first executable function and a second executable function, the first new software component being generated for execution on a client system including the first executable function and the second new software component being generated for execution on a server system including the second executable function, the splitter

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generating a protocol to be used by the new software components to communicate with each other.

Applicant has presented arguments above regarding the failure of Ims in combination with McDonald to teach the element of partitioning a software component comprising a first and a second executable functions to a first new software component including the first executable function and a second new software component including the second executable function. The arguments apply with equal force here and are reiterated as set forth in full.

Since neither McDonald nor Ims teaches or suggests the claim invention as cited in claim 33, the combination also fails to teach or suggest the claimed invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of independent claims 33.

For the reasons set forth above, Applicant respectfully requests the allowance of claims 1-33.

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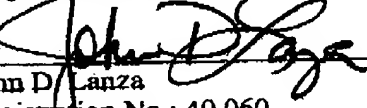
**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes that a one-month extension of time fee in the amount of \$110 is due with this statement. A one-month Request for Extension of Time has been concurrently filed herewith. If any additional fee is due, please charge our Deposit Account No. 12-0080, under Order No. CXT-032 from which the undersigned is authorized to draw.

Dated: October 12, 2004

Respectfully submitted,

By   
John D. Lanza  
Registration No.: 40,060  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney For Applicant